

# VIRGINIA ACTS OF ASSEMBLY -- 2021 SPECIAL SESSION I

## CHAPTER 171

*An Act to amend and reenact § 63.2-1911, as it is currently effective, of the Code of Virginia and to temporarily expand the Child Care Subsidy Program to provide financial assistance for child care to families in need during the public health emergency; emergency.*

[H 2206]

Approved March 18, 2021

**Be it enacted by the General Assembly of Virginia:**

**1. That § 63.2-1911, as it is currently effective, of the Code of Virginia is amended and reenacted as follows:**

**§ 63.2-1911. (Effective until July 1, 2021) Duty of local departments to enforce support; referral to Department.**

Whenever a local department approves an application for public assistance on behalf of a child or children and it appears to the satisfaction of the local department that the child has been abandoned by the noncustodial parent or that the person who has a responsibility for the care, support, or maintenance of such child has failed or neglected to give proper care or support to such child, the local department shall refer the matter to the Division within the Department responsible for the enforcement of support. *The foregoing provisions of this section shall not apply to applications for the Child Care Subsidy Program.*

**2. § 1. That, because the COVID-19 pandemic has created the need to temporarily expand the Child Care Subsidy Program (the Program) authorized pursuant to 22VAC40-665 to serve more families, including those families of individuals searching for employment during the period of economic recovery, such program shall be amended to provide that:**

*1. A family shall be eligible for assistance through the Program if (i) the family's income does not exceed 85 percent of the state median income, (ii) the family includes at least one child who is five years of age or younger and has not yet started kindergarten, and (iii) the family meets all other income and eligibility requirements of the Program. A family described in this subdivision shall be eligible for assistance for each child in the family who is under the age of 13; and*

*2. Job search activities shall be considered eligible activities for the purposes of the Program in order to maximize access to child care assistance of income-eligible families during the COVID-19 pandemic.*

*§ 2. That a family determined to be eligible for assistance through the Child Care Subsidy Program pursuant to § 1 of this act shall be eligible to receive assistance for a period of 12 months or until the family's household income exceeds 85 percent of the state median income, whichever occurs sooner.*

*§ 3. That the changes to the Program described in § 1 of this act shall be administered by the Department of Social Services in partnership with the Department of Education.*

**3. That an emergency exists and this act is in force from its passage.**

**4. That the Department of Social Services shall update its child target rate for the Child Care Subsidy Program based on the expanded eligibility criteria established pursuant to the first and second enactments of this act and shall not exceed its revised child target rate for fiscal year 2022.**

**5. That the provisions of the first and second enactments of this act shall be applicable for assistance through the Child Care Subsidy Program for applications received prior to August 1, 2021.**